

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

**AMAZON.COM, INC and AMAZON
DATA SERVICES, INC.,**

Plaintiffs,

v.

**WDC HOLDINGS LLC d/b/a
NORTHSTAR COMMERCIAL
PARTNERS, et al.,**

Defendants,

Case No. 1:20cv484

**Hon. Rossie D. Alston, Jr.
Hon. Theresa Buchanan**

**MOTION TO FILE DOCUMENTS
UNDER SEAL**

800 HOYT LLC,

Intervening Interpleader Plaintiff,

v.

**BRIAN WATSON, WDC HOLDING
LLC, PLW CAPITAL I,
LLC.AMAZON.COM, INC, and
AMAZON DATA SERVICES, INC.**

Interpleader Defendants.

Pursuant to Local Rule 5(C) and Section 11.e of the June 4, 2020 Protective Order entered in this case (Doc. 55), Defendants Carleton Nelson and Cheshire Ventures, LLC (“Nelson Defendants”) file this Motion to file an unreacted version of their motion to compel damages discovery exhibits A through M to the Declaration of Adam R. Smart in support of that motion, under seal. The Nelson Defendants file this motion because Plaintiffs have designated certain material in the brief as confidential as well as having designated the exhibits hereto as confidential or highly confidential, and Exhibits B and C are portions of a deposition that recently occurred the

parties have the opportunity to designate it as confidential and in order to allow the parties time to do so under Doc. 55, this version is being filed under seal. The Nelson defendants will also file a redacted version of the brief on the public ECF.

Description of Documents

- Exhibit A is a true and correct copy of an excerpt from a December 7, 2021 draft of a settlement agreement between Amazon and IPI, produced in discovery by Amazon.
- Exhibit B is a true and correct copy of an excerpt from the deposition of Keith Kline, taken on March 22, 2022.
- Exhibit C is a true and correct copy of an excerpt from the deposition of Chris Vonderhaar, taken on March 23, 2022.
- Exhibit D is a true and correct copy of an excerpt from Amazon's responses to the Interrogatories of Carleton Nelson.
- Exhibit E is a true and correct copy of a purported "settlement" agreement between Amazon and IPI, without attachments.
- Exhibit F is a true and correct copy of excerpts from Amazon's Revised March 9, 2022 Privilege Log.
- Exhibit G is a true and correct copy of an email chain between J. Krause of Gibson Dunn and M. Epstein of Akin Gump, and others, with a spreadsheet attached, regarding the adjustments of rent that purport to have resulted from the changes to yields and fees set forth in Exhibit A.
- Exhibit H is a true and correct copy of an email chain between Kimberly Wachen of Arent Fox (representing Amazon) and Kent Watson of Akin Gump (representing IPI), and others, attaching redlines of transaction documents related to the Quail Ridge purchase and IPI sale.
- Exhibit I is a true and correct copy of an email chain between Patrick Stokes of Gibson Dunn and Chuck Connolly of Akin Gump regarding proposals and amendments to proposals for the Quail Ridge properties.
- Exhibit J is a true and correct copy of excerpts from Amazon's April 18, 2022 Privilege Log.
- Exhibit K is a true and correct copy of an Amazon Approvals email related to IAD170.

- Exhibit L is a true and correct copy of an Amazon Approvals email related to IAD175.
- Exhibit M is a true and correct copy of an Amazon Approvals email related to IAD144/145.

Pursuant to Local Rule 5, because Plaintiffs have designated the material confidential, Plaintiffs must file a response to the motion complying with requirements of Local Rule 5 and submit a proposed order.

WHEREFORE, the Nelson Defendants requests that the Court enter an Order allowing the foregoing exhibits to the declaration of Adam R. Smart be filed under seal.

May 2, 2022

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CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2022, a true and correct copy of the foregoing has been served upon the following via email:

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Dated: May 2, 2022

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